



PLANNING DIRECTOR'S HEARING AGENDA

WEDNESDAY, MARCH 30, 2005

9:00 a.m.
City Council Chambers
Room 205
City Hall

801 North First Street
San Jose, California

Hearing Officers

Jean Hamilton, AICP, Principal Planner

Susan Walton, Principal Planner

**Plan Implementation Division
Joseph Horwedel, Deputy Director**

**Stephen M. Haase, AICP
Director Planning, Building, and Code Enforcement**

NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 277-4576 (VOICE), 998-5299 (TTY) at least two days, (48 hours) before the meeting. If you requested such an accommodation and have not already identified yourself to the technician seated at the staff table, please do so now. If you did not call in advance and do now need assistance, please see the technician.

NOTICE TO THE PUBLIC

Good morning, this is the Planning Director's Hearing of **March 30, 2005**. My name is _____ and I am the Hearing Officer for today's agenda. On behalf of the Planning Director, I would like to welcome you to this Public Hearing. Please remember to turn off all cell phones and pagers. A copy of the agenda is available on the table by the door for your convenience.

The procedure for this hearing is as follows:

- Hearing Officer will identify the project as described on the agenda
- Staff report
- After the staff report, applicant and/or representative will have up to 5 minutes to speak and should make themselves known as their item comes up by approaching the microphone and identifying themselves and stating their home address, or just wave from the audience if you do not wish to speak
- Public testimony of up to 2 minutes, either for or against the project. Please state name and home address for the record
- After the public testimony, the applicant may make closing remarks of up to 5 minutes
- The Hearing Officer may ask questions of the speaker
- The public hearing will then be closed and the Hearing Officer will take action on the item. The Hearing Officer may request staff to respond to the public testimony, ask staff questions, and discuss the item

If you challenge these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.

The Planning Director's action on these agenda items is final when the permit is signed and mailed, unless the permit is appealed. The Planning Director's actions are appealable in accordance with the requirements of Title 20 of the Municipal Zoning Code.

Note: If you have any agenda changes, please contact Joe Babiasz (joe.babiasz@sanjoseca.gov).

AGENDA

ORDER OF BUSINESS

1. DEFERRALS

Any item scheduled for hearing this morning for which deferral is being requested will be taken out of order, to be heard first on the matter of deferral. A list of staff recommended deferrals is available on the table. I will identify the items to be deferred and then ask for comments from the audience. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time. I will now open the public hearing. The following items are proposed to be deferred.

- a. **TR04-131. Tree Removal Permit** to remove one Cedar tree 84 inches in circumference on a 0.25 gross acre site in the R-1-8 Residence Zoning District, located at 1032 Avondale Street (Borges Roland And Jennifer, Owner). Council District 1. CEQA: Exempt. **Defer to 4/13/05.**
- b. **TR05-013. Tree Removal Permit** to legalize the removal of one Pine tree, approximately 58 inches in circumference, and to remove one Pine tree 58 inches in circumference on a 0.14 gross acre site. in the R-1-8 Single-Family Residence Zoning District, located at/on the 1508 Cameo Drive (Pitts William F Iii Trustee, Owner). Council District 1. CEQA: Exempt. **Defer to 4/13/05.**
- c. **PD04-041. Planned Development Permit** to construct 15 multi-family attached residential units (condominiums Tuscany Hills) on a 0.83 gross acre site in the A(PD) Planned Development Zoning District, located on the northside of Hillsdale Avenue, opposite the terminus of Vista Park Drive (9352 TRACT) (KB Home South Bay Inc. Steven Bull, Owner). Council District 7. SNI: None. CEQA: Use of Final EIR prepared for PDC99-10-083, adopted by City Council resolution No. 70194 on March 6, 2001. **Defer to 4/13/05.**

The matter of deferrals is now closed.

2. CONSENT CALENDAR

NOTICE TO THE PUBLIC

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by the Director of Planning, staff, or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please come to the podium at this time.

- a. **TR04-134. Tree Removal Permit** to remove one Pine tree 96 inches in circumference on a 0.15 gross acre site in the R-1-8 Residence Zoning District, located at 1088 Prouty Way (Wang, Mu Lan Trustee, Owner). Council District 1. CEQA: Exempt.

- b. **TR05-003. Tree Removal Permit** to remove two Monterey Pine trees measuring 111 and 122 inches in circumference on a 0.25 gross acre site in the R-1-8 Residence Zoning District, located at 5278 Elmwood Drive (Williams, John B and Dorothy J Trustee, Owner). Council District 1. CEQA: Exempt.
- c. **TR04-149. Tree Removal Permit** to remove one Pine tree 67 inches in circumference in the R-M Residence Zoning District, located at 3813 Barker Drive (Chang Yi-Chiun Edward And Sally Siu-Mei Tru, Owner). Council District 1. CEQA: Exempt.
- d. **TR05-010. Tree Removal Permit** to remove one 89 inch in circumference Black Walnut tree and one 72 inch in circumference Palm tree in the R-2 Residence Zoning District, located at 5027 Williams Road (Vaden Raymond E And Bettie L Trustee, Owner). Council District 1. CEQA: Exempt.
- e. **TR04-150. Tree Removal Permit** to remove one pine tree 100 inches in circumference in the R-M Residence Zoning District, located at 3802 Underwood Drive (Barkow, William C Trustee, Owner). Council District 1. CEQA: Exempt.
- h. The projects being considered are located on the south side of Hillsdale Avenue approximately 420 feet east of Highway 87 (568 Hillsdale Avenue), in the A (PD) Planned Development Zoning District (THOTUS GEORGE P TRUSTEE & ET AL, THOTUS ELLEN M TRUSTEE, Owner). Council District 10. SNI: None. CEQA: Mitigated Negative Declaration.
 - 1. **PD05-008. Planned Development Permit** to demolish 2 single-family detached residences and related accessory structures to construct 26 single-family attached residences on a 1.7 gross acres site.
 - 2. **PT05-005. Planned Tentative Map Permit** to subdivide 3 parcels into 27 lots for single-family attached residential uses on a 1.7 gross acres site.

The consent calendar is now closed.

3. PUBLIC HEARING

- a. The projects being considered are located at/on northwest corner of Santa Teresa Boulevard and Martinvale Lane (6876 SANTA TERESA BL), in the A(PD) Planned Development Zoning District (EDENVALE 1 LLC, Owner). Council District 2. SNI: None. CEQA: Exempt.
 - 1. **PDA87-074-03. Planned Development Permit Amendment** request to allow wholesale and retail distribution of alcoholic beverages by an internet-based mail-order company at an existing research and development office building, 3815 square-foot lease area, on a 2.89 gross acre site.
 - 2. **ABC05-001. Liquor License Exception** to allow off-sale of alcoholic beverages via internet on a 2.89 gross acre site.

- b. **ABC04-014. Liquor License Exception** request to allow for the off-sale of distilled spirits at a grocery store on a 1.4 gross acre site in the A(PD) Planned Development Zoning District, located on the west side of North 1st Street, approximately 100 feet southerly of Trimble Road (2571 N 1ST ST) (Ghb-The Marketplace, Owner). Council District 4. SNI: None. CEQA: Exempt. Deferred from 3/9/05 AND 3/23/05.

- c. **TR04-125. Tree Removal Permit** request to remove one Redwood tree (132" in circumference) on a 0.25 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 2798 Agua Vista Drive (Diamond Robert S And Melinda B, Owner). Council District 4. CEQA: Exempt. Deferred from 3/16/05.

- d. **PD05-003. Planned Development Permit** for architectural and landscape design for 105 single-family detached residential units on a 13.1 gross acre site in the A(PD) Planned Development Zoning District, located at the south side of East William Street approximately 400 feet westerly of McLaughlin Avenue (Union Pacific Corp, Owner). Council District 3. SNI: Five Wounds/Brookwood Terrace. CEQA: Mitigated Negative Declaration.

This concludes the Planning Director's Hearing for March 30, 2005. Thank you.

PLANNING DIRECTOR'S AGENDA ON THE WEB:
<http://www.sanjoseca.gov/planning/hearings/index.htm>
PUBLIC INFORMATION COUNTER
(408) 277-4576 CITY OF SAN JOSE

**DEPARTMENT OF PLANNING, BUILDING AND CODE ENFORCEMENT
PLANNING DIRECTOR'S HEARING**

Synopsis of Staff Recommendations

March 23, 2005

PUBLIC HEARINGS

1. DEFERRALS

2. CONSENT CALENDAR

a. SF04-025 APPROVED

3. PUBLIC HEARING

a.	SF04-042	DENIED
b.	PT04-112	APPROVED
c.	PDA80-054-31	APPROVED
d1.	PD04-095	APPROVED
d2.	PT04-128	APPROVED
e.	H04-046	APPROVED
f.	H05-003	APPROVED
g1.	PD04-073	APPROVED
g2.	PT04-093	APPROVED
h.	TR04-125	DEFERRED TO 3/30/05